

**City of Greensboro Planning Department
Zoning Staff Report and
Plan Amendment Evaluation
June 12, 2006 Public Hearing**

The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.

Item: H
Location: 3515 Irwin Street

Applicant: David R. Caudle
Owner: JP Morgan Chase Bank, NA Successor by Merger with Bank One, NA

GFLUM:
From: Low Residential
To: Moderate Residential

Zoning:
From: RS-12
To: RS-5

Conditions: N/A

SITE INFORMATION	
Maximum Developable Units	2
Net Density	7 dwelling units per acre
Existing Land Use	2 Single Family Dwellings
Acreage	0.25
Physical Characteristics	<i>Topography:</i> Downward easterly slope <i>Vegetation:</i> Mature trees / grass <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Single Family	RS-12
<i>South</i>	Single Family	RS-12
<i>East</i>	Single Family / Undeveloped	RS-12
<i>West</i>	Rear Portion of Single Family Lots Facing Summit Ave.	RS-12

ZONING HISTORY		
Case #	Year	Request Summary
		This property has been zoned RS-12 since July 1, 1992. Prior to the implementation of the UDO, it was zoned Residential 120S.

DIFFERENCES BETWEEN RS-12 (EXISTING) AND RS-5 (PROPOSED) ZONING DISTRICTS
RS-12: Primarily intended to accommodate moderate density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 3.0 units per acre or less.
RS-5: Primarily intended to accommodate high density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 7.0 units per acre or less.

TRANSPORTATION	
Street Classification	Irwin Street – Local Street.
Site Access	Residential driveways.
Traffic Counts	None available.
Trip Generation	N/A.
Sidewalks	N/A.
Transit	No.
Traffic Impact Study	Not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
Water Supply Watershed	N/A, Site drains to North Buffalo Creek
Floodplains	N/A
Streams	N/A
Other	N/A

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
<i>North</i>	N/A
<i>South</i>	N/A
<i>East</i>	N/A
<i>West</i>	N/A

CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

Connections 2025 Written Policies:

Housing and Neighborhoods Goal: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

POLICY 6B.3: Improve **maintenance of existing housing stock**.

POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, **affordable housing**.

Connections 2025 Map Policies:

The area requested for rezoning lies within the following map classifications:

Existing:

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Proposed:

Moderate Residential (6-12 d.u./acre): This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

COMPREHENSIVE PLAN AMENDMENT HISTORY		
Case #	Date	Request Summary
N/A		There have not been any map amendments in the immediate vicinity of this case.

APPLICANT STATED REASONS FOR REQUEST

Explain in detail why the change is needed and a justification for such a change:

Many if not most of the houses on this map and block cross over the lot lines. This parcel has 2 separately owned houses located on it. These houses have been in existence for numerous years. The previous owner, Paul E. Norman, Jr. and wife Edna Norman owned contiguous lots with houses on them as well which also cross over lot lines. The Norman's mortgaged these two houses to Franklin Credit Management Corp. and Bank One, NA (by assignments of deeds of trusts) who foreclosed and obtained separate titles to the respective houses. They wish to market these two houses in "as is" condition. Both companies have had trouble selling these houses since they are legal non-conforming properties which if damaged or need repair/improvements will not be permitted.

Explain in detail the conditions that you think may warrant a Plan Amendment (i.e. unforeseen circumstances or the emergence of new information, unanticipated changes in development pattern, rezonings, transportation improvements, economic opportunities, changes in socioeconomic conditions, etc.):

These houses have existed in their present status over 50 years each. Both mortgage lenders are innocent parties who lent mortgage monies to Paul Norman and were forced to foreclose him due to non-payment. They are selling the property in an “as is” condition. No additional houses are planned to be built on the property. The houses will be repaired by the new owners who will need building permits for the repairs. The lots are only 40 feet wide and the mortgage companies only want a zoning change to have the two houses conform to zoning although they did not build the houses over individual lot lines. No large multi-family housing is planned or even asked. They will remain single family residential houses. They were legally existing but non-conforming.

COMPREHENSIVE PLAN ANALYSIS

Need for the Proposed Change:

There will be no physical change in land use or density. This amendment will not change the course of achieving the goals and policies of the Comprehensive Plan. The request is supported by the Housing and Neighborhoods Goal and Policies 6B.3 and 6C which support affordable housing and the maintenance of existing housing stock. By allowing these structures to become conforming they have better certainty of being fixed up and maintained.

Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service, traffic counts, planned road improvements, transit, accidents statistics, and environmental constraints such as; location within a Water Supply Watershed, floodplain, streams): None

Implications, if any, the Amendment may have for Other Parts of the Plan: This will place a .25 acre spot of Moderate Residential in the middle of the Low Residential land use classification on the Generalized Future Land Use Map and it may encourage other similar amendments.

Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3):
None

COMPREHENSIVE PLAN MONITORING COMMENTS

The Monitoring Committee met on Monday, June 5, 2006, and made the following comments concerning this request:

- This seems o.k.;
- It is making a non-conforming situation conforming and fixing some financing issues;
- Disappointed that something this small has to go through the amendment process; and
- Concerned about setting a precedent with such a small spot of Moderate Residential.

CONFORMITY WITH OTHER PLANS

The following aspects of relevant plans may be applicable in this case:

City Plans: N/A

Other Plans: N/A

STAFF COMMENTS

Planning: Of the approximately 45 lots within a 400 foot radius of the subject property, 10 of these have an average lot area under 7,000 square feet. Thus, slightly less than 25% of the lots in the immediate area would require RS-5 zoning to be in conformance with current zoning regulations.

GDOT: No additional comments.

Water Resources: No additional comments.

STAFF RECOMMENDATION

Based on all the information contained in this report, the Planning Department recommends approval of the Comprehensive Plan amendment to the Moderate Residential land use classification and approval of the rezoning to RS-5 Residential Single Family primarily due to:

- There being no physical change in land use or density;
- It is supported by the Housing and Neighborhoods Goal and Policies 6B.3 and 6C which support affordable housing and the maintenance of existing housing stock; and
- This amendment will not change the course of achieving the goals and policies of the Comprehensive Plan.